

ORIGINAL

In the United States Court of Federal Claims

No. 15-1437C  
(Filed: January 13, 2016)

WAYNE PETTAWAY,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

FILED

JAN 13 2016

U.S. COURT OF  
FEDERAL CLAIMS

ORDER OF DISMISSAL

On November 30, 2015, plaintiff in the above-captioned case, Mr. Wayne Pettaway, appearing pro se, filed a complaint in this court. ECF No. 1. On December 10, 2015, plaintiff filed an application to appear in forma pauperis, seeking permission to proceed without paying the court's filing fee. ECF No. 3.

The court determined that Mr. Pettaway is barred from proceeding in forma pauperis pursuant to the "three strike rule," 28 U.S.C. § 1915(g)(2012), and thus denied his application. Order, Dec. 16, 2015, ECF No. 4. The court provided notice to plaintiff that failure to remit the filing fee by January 11, 2016 would result in dismissal of his complaint pursuant to Rule 41(b) of the Rules of the United States Court of Federal Claims. Id. at 2-3.

As of the date of this order, plaintiff has not paid the required filing fee. Because plaintiff has failed to comply with the court's order, this action is **DISMISSED** without prejudice.

IT IS SO ORDERED.

  
PATRICIA E. CAMPBELL-SMITH  
Chief Judge